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Amendment in RCE dated July 11, 2005
Response to Office Action dated October 14, 2004

REMARKS

Upon entry of this amendment, claims 1-12 and 14 are pending. By the present amendment, claims 1, 2, 5, 6, 8 and 12 have been amended, claim 13 has been canceled without prejudice or disclaimer as to the subject matter contained therein, and new claim 14 has been added. Favorable reconsideration of the application is respectfully requested.

The rejection of claims 1, 2, 5-8 and 11-13 under 35 U.S.C. §103(a) over McComb et al. (U.S. Patent No. 6,006,224, hereinafter "McComb") in view of Diamond (U.S. Patent No. 6,269,368) is respectfully traversed. Without acquiescing in the rejection, it is noted that claims 1, 2, 5, 8 and 12 have been amended and claim 13 has been canceled without prejudice. Accordingly, the rejection will be discussed with respect to the pending claims.

The Office Action acknowledges that there is no teaching or suggestion in McComb of the specifically claimed feature of *searching the query store for a previously constructed query that resembles said constructed query*. The Office Action now cites Diamond as allegedly overcoming this deficiency of McComb. It is respectfully submitted that Diamond fails to overcome the fundamental deficiencies of McComb, and thus the combination fails to render the claims obvious.

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In particular, Diamond is directed to an information retrieval system that uses dynamic evidence combination to purportedly improve information retrieval effectiveness. According to Diamond, the user enters a query, and the system generates "alternative representations of the query,"; it does not search a query store for queries that resemble the query entered by the user. It is respectfully submitted that the generation of these "alternative representations of the query" is in no way the same as the claimed feature of searching a query store to determine whether a query entered by a user resembles a previously constructed query. Moreover, it is abundantly clear from Diamond that the "alternative representations of the query" are not user generated queries. In complete contrast, Diamond generates an alternative representation of a query that is wholly different from the query originally constructed by the user. This is entirely inapposite to the claimed feature of searching a query store for queries that resemble the query entered by the user.

Additionally, this alternative representation of the query is not used to locate previously constructed queries residing in a query store to determine whether any previously constructed queries resemble the constructed query input by the user. The system of Diamond instead performs a matching function between the alternative representations of the query (not a previously constructed query from the query store that represents the constructed query) and alternative

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representations of a document to generate a matching score. This operation of the

Diamond system is described at Col. 6, lines 4-36. In short, Diamond matches

documents to a user's query using various representations of the documents and

various *alternative* representations of the user query. There is no attempt

whatsoever in Diamond to match the user query to a previously constructed query

stored in a query store. Therefore, it is respectfully submitted that the combination

of Diamond with McComb fails to render the claimed invention obvious.

Moreover, with respect to claim 2, the Office Action provides no basis for

the allegation that McComb discloses or suggest the features specifically recited in

claim 2. In particular, while the Office Action specifically addresses certain

features of claim 2, there is no teaching or suggestion in McComb of the feature of

calculating a similarity factor between "data fields in database queries stored in the

query store and at least one data field in a user constructed database query," and

the Office Action fails to address this specifically claimed feature.

It is also respectfully submitted that there is no motivation to combine the

references to McComb and Diamond because they are directed to entirely different

methods. In particular, McComb suggests that a new query can be constructed by

chaining parts of previous queries together. It is the user's responsibility to locate

and identify the previous query or parts thereof that may be potentially reused. In

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contrast, Diamond teaches automated generation of the alternative representations of the query input by the user. In view of the foregoing, it is respectfully submitted that there is no motivation to combine the teachings of McComb and Diamond.

Moreover, even if, *arguendo*, the combination were proper, the combination nevertheless fails to render the claimed invention obvious because there is no teaching or suggestion in either reference of the specifically recited feature of *searching the query store for a previously constructed query that resembles said constructed query.* Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

The rejection of claims 3, 4, 9 and 10 under 35 U.S.C. §103(a) over McComb in view of Diamond and further in view of Malloy (U.S. Patent No. 5,787,234) is respectfully traversed.

It is respectfully submitted that Malloy fails to overcome the fundamental deficiencies noted above with respect to McComb and Diamond. Therefore, even if, *arguendo*, the combination of McComb, Diamond and Malloy were proper, the combination nevertheless fails to render the claimed invention obvious. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

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In view of the foregoing, it is respectfully submitted that the entire

application is in condition for allowance. Favorable reconsideration of the

application and prompt allowance of the claims are earnestly solicited.

Should the Examiner deem that further issues require resolution prior to

allowance, the Examiner is invited to contact the undersigned attorney of record at

the telephone number set forth below.

Respectfully submitted,

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